RETURN TO WORK IN THE ERA OF COVID

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Return to Work Guidance



Develop a plan specific to your workplace

Identify all areas and job tasks with potential exposures to COVID

Include control measures to eliminate or reduce such exposures

Return to Work Guidance



Communicate with employees – ask for input and about specific concerns

Consider forming a "return to work" committee or group

Identify any employees who may be at higher risk to exposure

Return to Work Guidance









Return to Work Guidance

Determine a schedule, including whether returning to work will be in "phases"

Determine whether any positions will have changes in duties/responsibilities

Return to Work Guidance

Conduct Hazard Assessment

Identify potential workplace hazards related to COVID-19. This assessment will be most effective if it involves employees because they are often the people most familiar with the conditions.

Return to Work Guidance

Involve leadership in developing the plan

Consider forming a committee to develop the plan

Consider assigning a "Workplace Coordinator" as the point-person for COVID-related issues

Return to Work Guidance

Develop Protocols to Prevent Spread

- Daily temperature checks (no-touch)
- Daily health questionnaire
- Provide PPE and hand sanitizers
- Review CDC, OSHA, and other government guidelines for workplace safety

Return to Work Guidance

Develop protocols for employees who become ill and/or test positive

Return to Work Guidance

Policies and Procedures

- Review policies and procedures to determine if updates are required
- Develop new policies and procedures
- Provide training for new policies and procedures

Return to Work Guidance

Physical Preparations

- Order PPE (masks, soap, hand sanitizers, etc.)
- Change work space configurations to allow space between employees
- Consider installing physical barriers (plexi-glass dividers)
- Reconfigure commons spaces (conference rooms, breakrooms) to facilitate social distancing

Return to Work Guidance

Physical Preparations

- Implement a cleaning/sanitizing schedule, especially for high-touch surfaces (door handles, computer keyboards, phones)
- Consider periodic deep cleanings

Return to Work Guidance

Develop a protocol if pandemic worsens



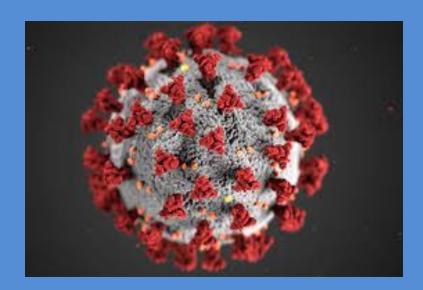
Test Your Knowledge: COVID-19

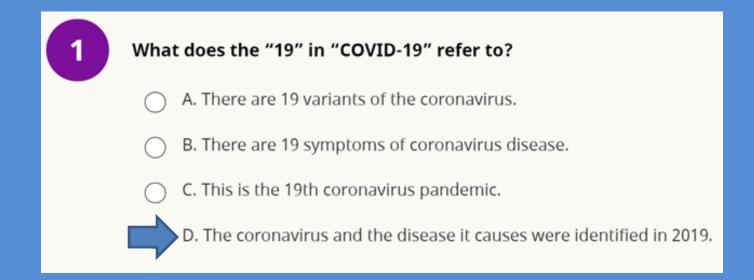
https://www.hopkinsmedicine.org/health/conditions-and-diseases/test-your-knowledge-covid-19

1

What does the "19" in "COVID-19" refer to?

- A. There are 19 variants of the coronavirus.
- B. There are 19 symptoms of coronavirus disease.
- C. This is the 19th coronavirus pandemic.
- D. The coronavirus and the disease it causes were identified in 2019.





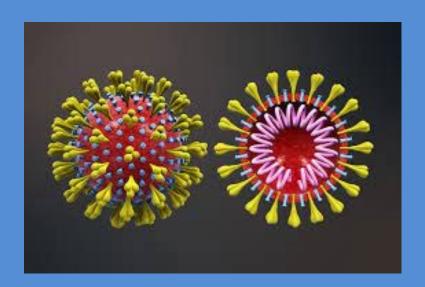
The coronavirus and the disease it causes were identified in 2019.

A new coronavirus, technically named SARS-CoV-2, and the disease it causes were first identified in 2019.

2

True or false: There is more than one coronavirus.

- A. True.
- B. False.



True or false: There is more than one coronavirus.

A. True.

B. False.

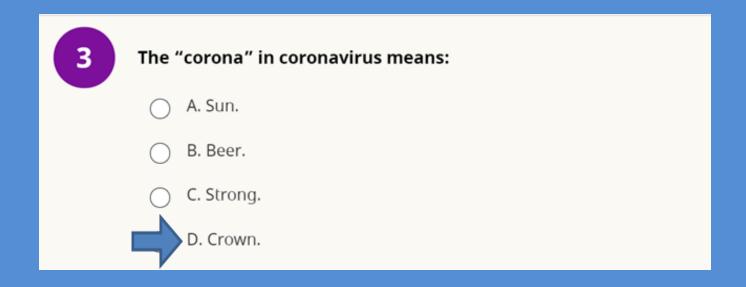
There are hundreds of coronaviruses, and some of them cause disease in humans, such as mild colds and more serious illnesses or death. The SARS-CoV-2 coronavirus, along with those that cause SARS and MERS are examples of coronaviruses that can cause serious illness in people.

3

The "corona" in coronavirus means:

- A. Sun.
- B. Beer.
- C. Strong.
- O. Crown.





Crown. Spike proteins on these viruses' outer coating give them the appearance of a crown or halo.



Stay home when needed

Social distancing in shared spaces

Monitor your health

Cover your coughs and sneezes

Wear a mask

Avoid sharing objects and equipment



What should I do if employee comes to work with symptoms?

Employees who have symptoms when they arrive at work or become sick during the day should immediately be separated from other employees, customers, and visitors and sent home. Employees who develop symptoms outside of work should notify their supervisor and stay home.



What should I do if employee comes to work with symptoms?

Advise employee not to return to work until after:

- At least 10 days have passed since symptom onset; <u>and</u>
- At least 24 hours have passed since resolution of fever without the use of fever-reducing medications; and
- Other symptoms have improved.



In most cases, there is no need to shut down work place, but close off any areas used for prolonged period of time by the employee.

Wait 24 hours (or as long as possible) before cleaning and disinfecting.

Follow CDC cleaning and disinfecting recommendations.



Determine which employees may have been exposed to the virus and take additional precautions:

If an employee is confirmed to have COVID-19, employers should inform fellow employees of their possible exposure to COVID-19 in the workplace but maintain confidentiality as required by the Americans with Disabilities Act (ADA).



Determine which employees may have been exposed to the virus and take additional precautions:

Employees who test positive for COVID-19 (using a viral test, not an antibody test) should be excluded from work and remain in home isolation if they do not need to be hospitalized. Employers should provide education to employees on what to do if they are sick.



Determine which employees may have been exposed to the virus and take additional precautions:

Instruct potentially exposed employees to stay home for 14 days, telework if possible, and self-monitor for symptoms.



What if employer finds out an employee was diagnosed with COVID days after employee had worked?

If less than 7 days since the sick employee used the facility, clean and disinfect all areas used by the sick employee following the CDC cleaning and disinfection recommendations.

If it has been 7 days or more since the sick employee used the facility, additional cleaning and disinfection is not necessary. Continue routinely cleaning and disinfecting all high-touch surfaces in the facility.



How to keep employees safe who come into contact with the public

Increase physical space between employees and customers, and even consider physical barriers if practical.

Clean and disinfect daily high-touch surfaces.

Consider allowing breaks for hand washing.



To maximize protection from the Delta variant and prevent possibly spreading it to others, wear a mask indoors in public if you are in an area of substantial or high transmission.



Recommended that fully vaccinated individuals wear a mask in public indoor settings if they are in an area of substantial or high transmission.



Fully vaccinated people might choose to mask regardless of the level of transmission, particularly if they or someone in their household is immunocompromised or at increased risk for severe disease, or if someone in their household is unvaccinated.



People who are at increased risk for severe disease include older adults and those who have certain medical conditions, such as diabetes, overweight or obesity, and heart conditions.



Get tested if experiencing COVID-19 symptoms.

Get tested 3-5 days following a known exposure to someone with suspected or confirmed COVID-19 and wear a mask in public indoor settings for 14 days after exposure or until a negative test result.

Isolate if they have tested positive for COVID-19 in the prior 10 days or are experiencing COVID-19 symptoms.

OSHA

Returning to Work Guidance

Protecting Workers: Guidance on Mitigating and Preventing the Spread of COVID-19 in the Workplace



https://www.osha.gov/coronavirus/safework



Employers are responsible for providing a safe and healthy workplace free from recognized hazards likely to cause death or serious physical harm.



Implementing a workplace COVID-19 prevention program is the most effective way to mitigate the spread of COVID-19 at work



Consider increased protections for workers at higher risk for severe illness through supportive policies and practices

Workers with disabilities may be legally entitled to "reasonable accommodations" that protect them from the risk of contracting COVID-19. Where feasible, employers should consider reasonable modifications for workers identified as high-risk who can do some or all of their work at home (part or full-time), or in less densely-occupied, better-ventilated alternate facilities or offices.



Educate and train workers on your COVID-19 policies and procedures using accessible formats and in a language they understand.

Communicate supportive workplace policies clearly, frequently, in plain language that workers understand (including non-English languages, and American Sign Language or other accessible communication methods, if applicable), and in a manner accessible to individuals with disabilities, and via multiple methods to employees, contractors, and any other individuals on site, as appropriate, to promote a safe and healthy workplace.



Educate and train workers on your COVID-19 policies and procedures using accessible formats and in a language they understand.

Communications should include:

Basic facts about COVID-19, including how it is spread and the importance of physical distancing, use of face coverings, and hand hygiene.

Workplace policies and procedures implemented to protect workers from COVID-19 hazards (the employer's COVID-19 prevention program); and

Some means of tracking which workers have been informed and when.



Physical Distancing in All Communal Work Areas

Limit the number of people in one place at any given time:

- Implement flexible worksites (e.g., telework).
- Implement flexible work hours (e.g., rotate or stagger shifts to limit the number of workers in the workplace at the same time).
- Deliver services remotely (e.g., phone, video, or web).
- Implement flexible meeting and travel options (e.g., postpone nonessential meetings or events, in accordance with state and local regulations and guidance on size limits for meetings



Physical Distancing in All Communal Work Areas

Increase physical space:

- Between workers at the worksite to at least 6 feet. This may require modifying the workspace or slowing production lines.
- Between workers and customers by adjusting business practices to reduce close contact with customers for example, by moving the electronic payment terminal/credit card reader farther away from the cashier, or by providing drive-through service, click-and-collect online shopping, shop-by-phone, curbside pickup, and delivery options.

4

An effective hand sanitizer contains at least this percentage of alcohol to kill the coronavirus and other germs:

- A. 30%.
- B. 45%.
- O. 60%.
- D. 80%.



An effective hand sanitizer contains at least this percentage of alcohol to kill the coronavirus and other germs:

A. 30%.

B. 45%.

C. 60%.

D. 80%.

60%. Lower alcohol content may make a hand sanitizer less effective in killing the coronavirus and other pathogen



True or false: Once you are fully vaccinated you may not be required to wear a mask in public places.

- A. True.
- B. False.

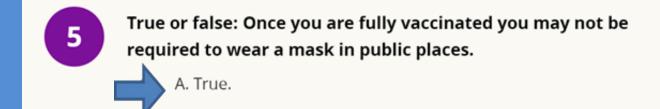


True or false: Once you are fully vaccinated you may not be required to wear a mask in public places.

B. False

The CDC has updated its recommendations on resuming some activities once you have completed your COVID-19 vaccines and allowed at least two weeks for your immune system to respond after your last shot.

Fully vaccinated people can resume activities without wearing a mask or physically distancing, except where required by federal, state, local, tribal, or territorial laws, rules, and regulations, including local business and workplace guidance.



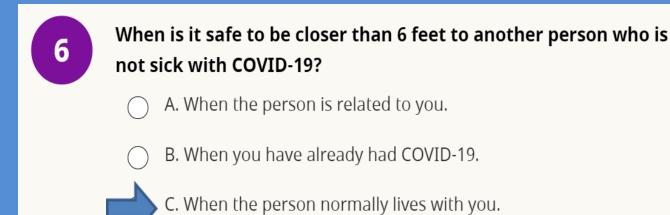
The CDC continues to recommend that masks and physical distancing are required when going to the doctor's office, hospitals or long-term care facilities.

6

When is it safe to be closer than 6 feet to another person who is not sick with COVID-19?

- A. When the person is related to you.
- B. When you have already had COVID-19.
- C. When the person normally lives with you.
- D. When you are outdoors.





O. When you are outdoors.

When you're around anyone from outside your regular household, physical distancing and mask-wearing are essential to avoid spreading the coronavirus. Outdoors is generally safer than inside, but you should still maintain physical distance and wear your face mask.

Employer Considerations

Section 768.38, Florida Statutes



Employer Considerations

Section 768.38, Florida "Statutes "COVID-Related Claims"

A civil liability claim against a person, including a natural person, a business entity, an educational institution, a governmental entity, or a religious institution, which arises from or is related to COVID-19, otherwise known as the novel coronavirus. The term includes any such claim for damages, injury, or death.

Employer Considerations

Section 768.38, Florida Statutes

"COVID-Related Claims"

"Governmental entity" includes the state or any political subdivision thereof, including the executive, legislative, and judicial branches of government; the independent establishments of the state, counties, municipalities, districts, authorities, boards, or commissions.

Employer Considerations

Section 768.38, Florida Statutes

"COVID-Related Claims"

"Educational institution" means a school, including a preschool, elementary school, middle school, junior high school, secondary school, career center, or postsecondary school, whether public or nonpublic.

Employer Considerations

Section 768.38, Florida Statutes Requirements for Lawsuit

Affidavit signed by a physician attesting to physician's belief, within a reasonable degree of medical certainty, that the plaintiff's COVID-19-related damages, injury, or death occurred as a result of the defendant's acts or omissions.

Employer Considerations

Section 768.38, Florida Statutes

"Good Faith Effort by Defendant"

Must substantially comply with authoritative or controlling government-issued health standards or guidance at the time the cause of action accrued.

Employer Considerations

Section 768.38, Florida Statutes

"Gross Negligence"

Conduct that is reckless or wanting in care that it constituted a conscious disregard or indifference to the life, safety, or rights of persons exposed to such conduct.

Employer Considerations

Section 768.38, Florida Statutes Statute of Limitations

One year after cause of action accrues or within one year of effective date of statute (March 29, 2021).

Employer Considerations



Employer Considerations

Can an employer require employees to be vaccinated?

No clear answer, but EEOC guidance indicates employer vaccine mandate is permissible.

Survey of more than 1,800 employer representatives across the country, less than 1 percent have mandated coronavirus vaccination so far, and 6 percent said they planned to once the vaccines gain full approval.

Employer Considerations

There is no FDA or Florida mandate for COVID vaccine

Employer Considerations

Can an employer require employees to be vaccinated?

Even if permissible, employer vaccine mandate could lead to legal risks.

Best practice is to <u>encourage</u>, rather than require, vaccination.

Employer Considerations

"Fully Vaccinated"

2 weeks after their second dose in a 2-dose series, such as the Pfizer or Moderna vaccines; or

2 weeks after a single-dose vaccine, such as Johnson & Johnson's Janssen vaccine.

Employer Considerations

"Fully Vaccinated"

May gather indoors with fully vaccinated people without wearing a mask.

If you've been around someone who has COVID-19, you do not need to stay away from others or get tested unless you have symptoms.

Employer Considerations

"Fully Vaccinated"

Should still take steps to protect yourself and others in many situations, like wearing a mask, staying at least 6 feet apart from others, and avoiding crowds and poorly ventilated spaces.

Still need to follow all guidance at your workplace.

Employer Considerations

EEOC Guidance

Is asking an employee to show proof of a COVID-19 vaccination a disability-related inquiry?

No. Simply requesting proof of receipt of a COVID-19 vaccination is not likely to elicit information about a disability and, therefore, is not a disability-related inquiry.

However, subsequent questions by employer, such as asking why an individual did not receive a vaccination, may elicit information about a disability and would be subject to the pertinent ADA standard that they be "job-related and consistent with business necessity."

Employer Considerations

EEOC Guidance

Exemptions from Vaccination

Medical exemptions

Some people may be at risk for an adverse reaction because of an allergy to one of the vaccine components or a medical condition. This is referred to as a medical exemption.

Religious exemptions

Some people may decline vaccination because of a religious belief. This is referred to as a religious exemption.

Employer Considerations

EEOC Guidance

What happens if an employer cannot exempt or provide a reasonable accommodation to an employee who cannot comply with a mandatory vaccine policy because of a disability or sincerely held religious practice or belief?

Employer Considerations

EEOC Guidance

If an employee cannot get vaccinated for COVID-19 because of a disability or sincerely held religious belief, practice, or observance, and there is no reasonable accommodation possible, it would be lawful for the employer to exclude the employee from the workplace. This does not mean the employer may automatically terminate the worker. Employers will need to determine if any other rights apply under the EEO laws or other federal, state, and local authorities.

Employer Considerations

COVID Vaccine Passport Ban



Employer Considerations

STATE OF FLORIDA

OFFICE OF THE GOVERNOR EXECUTIVE ORDER NUMBER 21-81

(Prohibiting COVID-19 Vaccine Passports)



Employer Considerations

STATE OF FLORIDA

OFFICE OF THE GOVERNOR EXECUTIVE ORDER NUMBER 21-81

(Prohibiting COVID-19 Vaccine Passports)

Section 1. No Florida government entity, or its subdivisions, agents, or assigns, shall be permitted to issue vaccine passports, vaccine passes, or other standardized documentation for the purpose of certifying an individual's COVID-19 vaccination status to a third party, or otherwise publish or share any individual's COVID-19 vaccination record or similar health information.

Employer Considerations

STATE OF FLORIDA

OFFICE OF THE GOVERNOR EXECUTIVE ORDER NUMBER 21-81

(Prohibiting COVID-19 Vaccine Passports)

Section 2. Businesses in Florida are prohibited from requiring patrons or customers to provide any documentation certifying COVID-19 vaccination or post-transmission recovery to gain access to, entry upon, or service from the business.

Employer Considerations

STATE OF FLORIDA

OFFICE OF THE GOVERNOR EXECUTIVE ORDER NUMBER 21-81

(Prohibiting COVID-19 Vaccine Passports)

Section 3. All executive agencies under my direction shall work to ensure businesses comply with this order. Any provision of Florida Statutes is hereby suspended solely to the extent it restricts a Florida agency from requiring compliance with this order as a condition for a license, permit, or other state authorization necessary for conducting business in Florida.

Employer Considerations

STATE OF FLORIDA

OFFICE OF THE GOVERNOR EXECUTIVE ORDER NUMBER 21-81

(Prohibiting COVID-19 Vaccine Passports)

Section 4. All businesses must comply with this order to be eligible for grants or contracts funded through state revenue.

Employer Considerations

STATE OF FLORIDA

OFFICE OF THE GOVERNOR EXECUTIVE ORDER NUMBER 21-81

(Prohibiting COVID-19 Vaccine Passports)

Section 5. The requirements in this order do not otherwise restrict businesses from instituting COVID-19 screening protocols in accordance with state and federal law to protect public health, and nothing herein shall be construed to interfere with individuals' rights to access their own personal health information under federal law.

Employer Considerations

Section 381.00316, Florida "Statutes

"Vaccine Documentation"

A governmental entity cannot require persons to provide any documentation certifying COVID-19 vaccination or post-infection recovery to gain access to, entry upon, or service from the governmental entity's operations in this state.

Employer Considerations

Section 381.00316, Florida "Statutes

"Vaccine Documentation"

An <u>educational institution</u> may not require students or residents to provide any documentation certifying COVID-19 vaccination or post-infection recovery for attendance or enrollment, or to gain access to, entry upon, or service from such educational institution in this state.

Employer Considerations

Section 381.00316, Florida "Statutes

"Vaccine Documentation"

Fine not to exceed \$5,000 per violation

Which of these is not a common COVID-19 symptom?

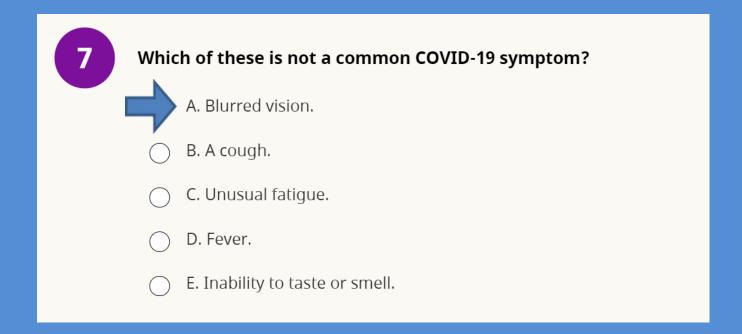
A. Blurred vision.

B. A cough.

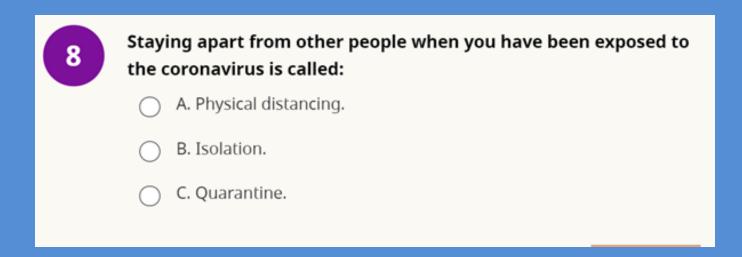
C. Unusual fatigue.

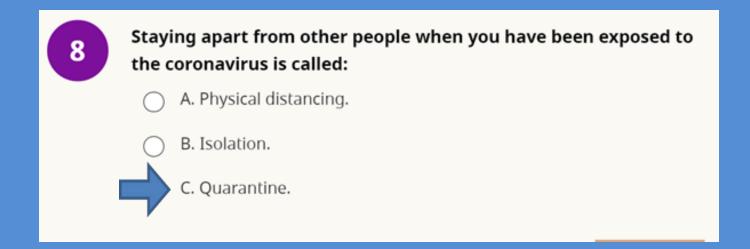
O. Fever.

E. Inability to taste or smell.



The others are common things experienced by people who have COVID-19.





A person who has been exposed to an infectious illness might be under quarantine to wait and see if they will become sick.

Physical distancing refers to staying at least 6 feet apart from someone to avoid spreading disease. Isolation is keeping someone sick with COVID-19 apart from other patients in a health care setting.

9	What is the safest way to celebrate your birthday during the COVID-19 pandemic?
	 A. Sharing a meal with relatives only.
	B. Having a virtual party using an online conferencing app.
	C. Hitting your favorite bar when it's less crowded.
	D. Gathering at a friend's house with people you know well.

9

What is the safest way to celebrate your birthday during the COVID-19 pandemic?

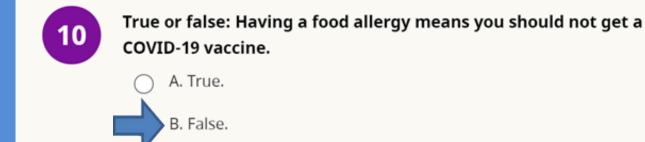
- A. Sharing a meal with relatives only.
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 - B. Having a virtual party using an online conferencing app.
 - C. Hitting your favorite bar when it's less crowded.
 - O. Gathering at a friend's house with people you know well.

Having a virtual party is the safest option.

Gathering in person, especially indoors, with people that you don't normally live with — even if they're relatives or good friends — is risky. Situations where masks aren't being worn or are being removed to eat or drink are especially likely to spread the coronavirus and cause illness.



- A. True.
- B. False.



People with food allergies can be vaccinated for the coronavirus. However, those who are seriously allergic to any of the ingredients in the vaccine itself should not get the vaccine.

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